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Rimini Street, Inc., and Seth Ravin*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RIMINI STREET, INC., a Nevada corporation

Plaintiff,

v.

ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Defendant.

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Case No. 2:14-cv-01699-LDG-VCF

**NOTICE OF RELATED CASE
PURSUANT TO CIVIL LOCAL RULE 7-
2.1**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that a related case *Oracle USA, Inc., et al. v. Rimini Street, Inc. and Seth Ravin*, Case No. 2:10-cv-0106-LRH-PAL, was filed on January 25, 2010, in the United States District Court for the District of Nevada. Pursuant to Civil Local Rules 7-2.1 of the United States District Court for the District of Nevada, Plaintiff Rimini Street, Inc. (hereinafter “Rimini”) hereby respectfully submit this Notice of Related Case Pursuant to Civil L.R. 7-2.1.

I. APPLICABLE STANDARD UNDER L.R. 7-2.1

Under Civil Local Rule 7-2.1, “Counsel who has reason to believe that an action on file or about to be filed is related to another action on file (whether active or terminated) shall file in each action and serve on all parties in each action a notice of related cases. This notice shall set forth the title and number of each possibly related action, together with a brief statement of their relationship and the reasons why assignment to a single district judge and/or magistrate judge is desirable.”

An “action is related to another when: (a) Both actions involve the same parties and are based on the same or similar claim; (b) Both actions involved the same property, transaction or event; (c) Both actions involve similar questions of fact and the same question of law and their assignment to the same district judge and/or magistrate judge is likely to effect a substantial savings of judicial effort, either because the same result should follow in both actions or otherwise; or, (d) For any other reason, it would entail substantial duplication of labor if the actions were heard by different district judges or magistrate judges.” Civil L.R. 7-2.1.

II. ORACLE V. RIMINI, CASE NO. 2:10-CV-0106-LRH-PAL AND RIMINI V. ORACLE, CASE NO. 2:2014-CV-01699 ARE RELATED

These two actions, *Oracle USA, Inc., et al. v. Rimini Street, Inc. and Seth Ravin*, Case No. 2:10-cv-0106-LRH-PAL and *Rimini Street, Inc. v. Oracle International Corp.*, Case No. 2:2014-cv-01699 are related. They involve the same parties, arise from same or substantially similar claims, involve the same property, and involve similar questions of fact and law. Oracle has noted the relatedness of the cases, referring to the Rimini’s new processes that are at issue in in the present

1 case as “old wine in a new bottle and every bit as infringing as the old process.” Joint Request for
2 Case Management at 7, *Oracle USA, Inc., et al. v. Rimini Street, Inc. and Seth Ravin*, Case No. 2:10-
3 cv-0106-LRH-PAL (D. Nev. Sept. 17, 2014).

4 In particular, both actions involve Oracle International Corp. and Rimini Street, Inc., and the
5 same Oracle copyrights allegedly infringed in *Oracle USA, Inc., et al. v. Rimini Street, Inc. and Seth*
6 *Ravin*, Case No. 2:10-cv-0106-LRH-PAL are at issue in Rimini’s in this action. Further, both
7 actions involve Oracle’s contracts with Rimini’s customers that have already been interpreted by
8 Judge Hicks in *Oracle USA, Inc., et al. v. Rimini Street, Inc. and Seth Ravin*, Case No. 2:10-cv-0106-
9 LRH-PAL. The interpretation of Oracle’s contracts requires significant judicial resources and
10 assignment of *Rimini Street, Inc. v. Oracle International Corp.*, Case No. 2:2014-cv-01699 to
11 another judge will result in duplicative use of judicial resources and could produce inconsistent
12 results. The judge who hears *Rimini Street, Inc. v. Oracle International Corporation*, Case No.
13 2:2014-cv-01699 will be called upon to resolve questions of fact and law similar to those raised by
14 Oracle and Rimini in present case, including the interpretation of Oracle’s contracts with Rimini’s
15 customers, and whether those contracts allow for Rimini’s conduct.

16 Rimini no longer operates in the manner that is at issue in *Oracle USA, Inc., et al. v. Rimini*
17 *Street, Inc. and Seth Ravin*, Case No. 2:10-cv-0106-LRH-PAL, rather Rimini has developed new
18 processes that are allowed under the terms of Oracle’s contract with Rimini’s customers. Because
19 the Court in *Oracle USA, Inc., et al. v. Rimini Street, Inc. and Seth Ravin*, Case No. 2:10-cv-0106-
20 LRH-PAL has determined that Oracle’s infringement claims regarding these new processes will not
21 be determined, it was necessary for Rimini to file this Declaratory Judgment action, or risk another
22 infringement suit brought by Oracle.

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1 For the foregoing reasons, assignment of this case to the same district judge and magistrate
2 judge that have been handling Case No. 2:10-cv-0106-LRH-PAL since 2010 (namely, Judge Hicks
3 and Magistrate Judge Leen) is desirable because the relation of these two cases is likely to effect a
4 saving of judicial effort and other economies, and it will diminish the likelihood of inconsistent
5 results.

6 DATED: February 11, 2015 SHOOK, HARDY & BACON

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8 By: /s/ Robert H. Reckers
9 Robert H. Reckers, Esq.
10 Attorney for Defendants
11 Rimini Street, Inc. and Seth Ravin
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing NOTICE OF RELATED CASE PURSUANT TO CIVIL LOCAL RULE 7-2.1 was served on the 11th day of February, 2015, via email, as indicated below.

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